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10/730,647	12/08/2003	Tsz Simon Cheng	BOC9-2003-0054 (425)	2979
40987 7590 07/22/2009 Novak Druce + Quigg LLP CityPlace Tower, 525 Okeechobee Blvd. Fifteenth-Floor WEST PALM BEACH, FL 33401				
EXAMINER				
MUHEBBULLAH, SAJEDA				
ART UNIT		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/730,647

**Applicant(s)**

CHENG ET AL.

**Examiner**

SAJEDA MUHEBBULLAH

**Art Unit**

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 8-11 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8-11 and 29-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This communication is responsive to Amendment filed on 04/07/2009.
2. Claims 1-3, 8-11, and 29-36 are pending in this application. Claim 1 has been amended and claims 29-36 have been added. This action is made Final.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 8, 29-32 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neill et al. ("O'Neill", US 6,219,653), Janes et al. ("Janes", US 6,642,946), Fulton et al. ("Fulton", US 6,182,052), Beaudet et al. ("Beaudet", US 5,491,795) and Monteleone et al. ("Monteleone", US 7,184,973).

As per claim 1, O'Neill teaches a computer-implemented method for conducting business-to-business (B2) transactions comprising the steps of:

determining at least one e-commerce partner (col.5, lines 57-65);

determining whether said e-commerce partner is an active partner based on at least one predetermined criteria, wherein determining whether said e-commerce partner is an active partner (col.16, lines 35-45) comprises at least one of the following steps, each step being based on a corresponding criterion:

detecting whether a transaction has occurred with said e-commerce partner within a designated time period,

determining whether transactions involving said e-commerce partner exceed a designated valuation threshold,

determining whether a transaction involving said e-commerce partner exceeds a designated data size, and

determining whether said e-commerce partner has a preference level above a designated preference level (col.8, lines 37-38; col.10, line 63-col.11, line 9; col.11, lines 45-53),

wherein the corresponding criteria for determining whether an e-commerce partner is an active partner are adjustable (col.11, lines 45-53; col.16, lines 35-45);

presenting a partner identifier within a commerce graphical user interface for said e-commerce partner if it is determined that said e-commerce partner is an active partner (col.15, lines 42-64);

However, O'Neill does not teach presenting a partner identifier as an expandable node, when the partner node is expanded, presenting at least one transaction identifier and any transmission error as a child node of said expanded partner node, wherein each transaction identifier represents an e-commerce transaction between a user of the commerce graphical user interface and said e-commerce partner; categorizing a node associated with at least one of a transaction and an e-commerce partner; visually differentiating said node from other nodes at the same node level and at a different node level based upon a category of said node; and assigning responsible personnel to transactions based on predetermined rules wherein the predetermined rules are adjustable.

Janes teaches a method of displaying business transactions wherein partner identifiers are presented as expandable nodes presenting at least one transaction identifier as a child node wherein each identifier represents an e-commerce transaction between a user and an e-commerce partner; categorizing a node and visually differentiating said node from other nodes (Janes; Fig.2G, *Vendor 2 expanded presents transaction 901*;, *Vendor 2 icon different from 901 icon*; col.9, lines 43-45). It would have been obvious to one of ordinary skill at the time of the invention to include Janes' teaching with O'Neill's method in order to display transactions in an organized fashion.

Furthermore, the method of O'Neill and Janes does not teach presenting any transmission error and differentiating nodes at the same node level and at different node level and assigning responsible personnel to transactions based on predetermined rules, wherein the predetermined rules are adjustable. Fulton teaches a communications network for conducting transactions wherein transmission errors are displayed to the user (Fulton, col.5, lines 63-67; col.14, lines 19-21). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Fulton's teaching with the method of O'Neill and Janes in order to notify the user of any errors.

Furthermore, the method of O'Neill, Janes, and Fulton does not teach differentiating nodes at the same node level and at different node level and assigning responsible personnel to transactions based on predetermined rules, wherein the predetermined rules are adjustable. Beaudet teaches a method of displaying differentiating nodes at the same and different levels (Beaudet, Fig.4, col.4, lines 37-46). It would have been obvious to one of ordinary skill in the art

at the time of the invention to include Beaudet's teaching with the method of O'Neill, Janes, and Fulton in order to visualize the different transactions.

Furthermore, the method of O'Neill, Janes, Fulton and Beaudet does not teach assigning responsible personnel to transactions based on predetermined rules, wherein the predetermined rules are adjustable. Monteleone teaches a method of processing transactions wherein responsible personnel are assigned to the particular transaction (Monteleone, col.8, lines 59-67para.0050). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Monteleone's teaching with the method of O'Neill, Janes, Fulton and Beaudet in order to streamline issues to the appropriate expertise to handle the issue faster and more effectively.

As per claim 2, O'Neill teaches the method wherein said e-commerce partners include at least one trading partner (col.5, lines 57-65).

As per claim 3, O'Neill teaches the method further comprising the step of: providing a business partner gateway, wherein said commerce graphical user interface is an interface for interacting with said business partner gateway (col.15, lines 42-64).

As per claim 8, Fulton teaches the method further comprising the step of: detecting an electronic data interchange (EDI) transmission error; and indicating within said graphical user interface that an error occurred during an associated transmission (col.5, lines 63-67; col.14, lines 19-21).

Claims 29-31 are similar in scope to claims 1-3 respectively, and are therefore rejected under similar rationale.

Claim 32 is similar in scope to claim 8, and is therefore rejected under similar rationale.

Claim 36 is similar in scope to claim 1, and is therefore rejected under similar rationale.

5. Claims 9-11 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neill et al. ("O'Neill", US 6,219,653), Janes et al. ("Janes", US 6,642,946), Fulton et al. ("Fulton", US 6,182,052), Beaudet et al. ("Beaudet", US 5,491,795) and Monteleone et al. ("Monteleone", US 7,184,973) in view of Stewart et al. ("Stewart", US 7,051,072).

As per claim 9, the method of O'Neill, Janes, Fulton, Beaudet, and Monteleone teaches the method comprising the step of receiving a selection specifying a node of said graphical user interface (Janes, col.9, lines 29-30). However, the method of O'Neill, Janes, Fulton, Beaudet, and Monteleone does not teach the step of responsively establishing a communication session between a user of said commerce graphical user interface and the e-commerce partner associated with said node. Stewart teaches a method of establishing real-time communication sessions between partners (Stewart, col.12, lines 48-57). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Stewart's teaching with the method of O'Neill, Janes, Fulton Beaudet, and Monteleone in order to interact with partners in real-time.

As per claim 10, Stewart teaches the method of claim 9, wherein said communication session is an instant messaging session (Stewart, col.12, lines 48-57).

As per claim 11, Stewart teaches the method of claim 9, wherein said establishing step further comprises the steps of: selecting a communication channel and establishing said communication session through said communication channel (Stewart, col.12, lines 48-57).

Claims 33-35 are similar in scope to claims 9-11 respectively, and are therefore rejected under similar rationale.

***Response to Arguments***

6. Applicant's arguments filed 04/07/2009 have been fully considered but they are not persuasive.

Applicant argued the following:

a) O'Neill does not disclose any determination of at least one e-commerce partner by the computer system but merely refers to the existence of buyers and sellers using the system.

b) O'Neill burdens the user to determine a partner's active/inactive status whereas the present invention applies rules to automatically determine status.

c) O'Neill does not specify the preference but the user must determine using criteria of choice whereas the present invention uses pre-established rules at configuration time to determine preference.

d) O'Neill sets trading status manually whereas in the present invention the status is determined by execution of adjustable rules and criteria.

e) O'Neill does not disclose presenting a partner identifier.

f) Janes does not refer to a B2B gateway.

g) Fulton does not teach transmission errors such as EDI content errors.

The Examiner disagrees for the following reasons:

Per a), In any computer system data must be inputted first in order to act upon the data. In this instance, the buyer/seller data is inputted by a user and the computer system uses this data for conducting transactions.



Per b), In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., automatically determine active/inactive status) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claims do not distinguish whether or not the determining steps are done automatically or by a user.

Per c) O'Neill teaches each client to specify preferences to determine whether or not to conduct business with another client and at one level. A client sets which other clients he/she prefers to conduct business with (col.10, line 63-col.11, line 9; col.11, lines 45-53). These preferences are set at registration time prior to using the system.

Per d) O'Neill does teach the adjustability of the preference level criteria (col.10, line 63-col.11, line 9; col.11, lines 45-53). As for the adjustment being done manually, the present invention does not distinguish whether this is to be done automatically or manually.

Per e) O'Neill does disclose presenting a partner identifier for active partners in the GUI (Fig.9, 12)

Per f) In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Per g), Fulton does teach the display of data transmission errors resulting from transactions (col.5, lines 63-67; col.10, lines 12-18; col.14, lines 19-21).

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Communications***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Wednesday and alt. Mondays from 8:30 am to 5:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow, can be reached on (571) 272-7767.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Sajeda Muhebbullah**

*Patent Examiner*

*Art Unit 2174*

*/S. M./*

**/DENNIS-DOON CHOW/**

*Supervisory Patent Examiner, Art Unit 2174*